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FoIA

DCI/IC 78-0603

78-0135

3 JAN 1978

MEMORANDUM FOR: George Cary
                  Legislative Counsel

25X1   FROM: _____

                  Acting Deputy to the DCI for the
                  Intelligence Community

SUBJECT: IC Staff Experience with FOIA

REFERENCE: Your Memorandum for Morning Meeting Participants,
                  dated 30 December 1977, Subject: Amendments to
                  the Freedom of Information Act

1.   Reference reported that as a result of recent discussions between
the Director and the Chairman of the Senate Select Committee on Intelligence,
the Office of Legislative Counsel is currently assessing the impact of
FOIA and working on possible amendatory language. You asked for comments
to assist you in this task, in particular, our position on whether FOIA
has had a negative or harmful impact on Agency activities and operations.

2.   The IC Staff has not had a large number of FOIA requests, although
some have run to many pages of text. In 1976, for example, we handled an
FOIA request for copies of all DCIDs ever published -- more than 200 separate
documents. In 1976, the total number of FOIA requests processed by the
IC Staff was 21; in 1977 we handled only eight.

3.   Many of the FOIA requests referred to the IC Staff have involved
documents of historical interest which were eligible for declassification
review under E.O. 11652. Other requests for more recent material on the
organization and management of the Intelligence Community were prompted
by the Congressional investigations and the publication of E.O. 11905. In
response to these requests, a considerable body of material has been declas-
sified and released. We believe that release of this type of information
has helped to increase public awareness of the role of intelligence in our
government.

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4. In our experience to date, the exemption criteria of the Freedom of Information Act have been sufficient to enable us to withhold material we determine warrants continued protection, and our denials have rarely been appealed.

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